

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA
Plaintiff,

v.

ERIKA SUSAN PERDUE,
Defendant.

§
§
§
§
§
§
§

No. 3:12-CR-134-L

E.C.F.

DEFENDANT'S UNOPPOSED MOTION FOR CONTINUANCE

TO THE HONORABLE COURT:

Defendant Erika Susan Perdue respectfully moves this Court for a sixty (60) day continuance of the trial and associated dates in this case, including the due date for pretrial motions, and in support presents the following:

1. The Court has entered a Scheduling Order in this case setting the deadline for Motions on June 1, 2102, and trial on July 9, 2012.

2. Defendant Perdue entered the Sante Treatment Center in April and remains enrolled in that residential facility. Although her long-term prognosis remains positive, she suffered a serious psychiatric/medical setback on Tuesday, May 8, 2012, and as a result, she is currently not mentally capable of assisting in her own defense or of making the types of decisions necessary to resolve this case. Her counselor at Sante remains optimistic that her mental state will improve with continued treatment, but not for several months.

3. Accordingly, Defendant Perdue requests that this case be continued to allow her to complete treatment and to a time when she is mentally able to assist in her defense.

4. Should the Court grant the requested continuance, the defense agrees that any period of delay resulting therefrom, made necessary by this request for continuance, shall be excludable under 18 U.S.C. § 3161(h)(7)(A). Additionally, the ends of justice served by the granting of this

continuance outweigh the best interests of the public and the Defendant in a speedy trial, 18 U.S.C. § 3161(h)(7)(A).

5. Counsel spoke with Assistant United States Attorney Camille E. Sparks who stated that the government does not oppose this motion.

WHEREFORE, Defendant Perdue respectfully asks the Court to grant this Motion for Continuance.

Respectfully submitted,

/s/ Deborah Goodall
DEBORAH GOODALL
3131 McKinney Avenue
Suite 600
Dallas, Texas 75204
214.741.4000
214.484.8434 (facsimile)
Texas Bar No. 08140950
Attorney for Erika Susan Perdue

CERTIFICATE OF CONFERENCE

I certify that I spoke with AUSA Camille Sparks about this Motion and the grounds therefor, and she expressed no objection to the Court's granting a continuance.

CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2012, I caused a copy of the foregoing Motion to be delivered to the Honorable Sam A. Lindsay, United States District Judge, Northern District of Texas; and Assistant United States Attorney Camille E. Sparks, at 1100 Commerce Street, Dallas, Texas, 75202.

/s/ Deborah Goodall
DEBORAH GOODALL